

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
:
Plaintiff, :
:
v. : Criminal Action No. 07-60-01 GMS
:
DAVID HANCOCK, :
:
Defendant. :
:

MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

The United States, by and through Colm F. Connolly, United States Attorney for the District of Delaware, and Douglas E. McCann and Robert F. Kravetz, Assistant United States Attorneys for the District of Delaware, hereby moves the Court to exclude time under the Speedy Trial Act for the reasons set forth below.

1. On January 31, 2008, the Court granted the defendant's *pro se* motion for appointment of new counsel.
2. The defendant is not currently represented, and new counsel has not yet been appointed.
3. After new counsel enters his or her appearance, the government will ask the court for a scheduling conference to discuss the further scheduling of the case.
4. The government asks the Court to find that the time needed to appoint the defendant new counsel, and allow that attorney to become oriented to the case, outweighs the defendant and the public's interest in a speedy trial, and that therefore it is in the interests of justice that the time between the date this motion is granted and the date of the next scheduling conference in this case be excluded from the computation of time under the Speedy Trial Act.

WHEREFORE, the United States respectfully asks the Court to exclude time under the Speedy Trial Act.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By: /s Douglas E. McCann

Douglas E. McCann
Robert F. Kravetz
Assistant United States Attorney
1007 Orange Street, Suite 700
P.O. Box 2046
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DATED: February 1, 2008

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ORDER

IT IS HEREBY ORDERED this ___ day of _____, 2008, that

1. The government's Motion to Exclude Time Under the Speedy Trial Act is GRANTED;
2. The Court finds that the possibility that a short continuance to allow for the appointment of new counsel, and to allow that attorney to become familiar with the case outweighs the public and defendant's interest in a speedy trial, and excludes the time between the date of this order, and next scheduling conference held in this case, under the Speedy Trial Act in the interest of justice.

HONORABLE GREGORY M. SLEET
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, Douglas E. McCann, hereby certify that I caused the foregoing Motion to Exclude Time Under the Speedy Trial Act to be served this 1st day of February, 2008, on the person listed below in the manner indicated:

BY FIRST CLASS MAIL

David Hancock
Salem County Correctional Facility
125 Cemetery Road
Woodstown, NJ 08098

/s/ Douglas E. McCann

Douglas E. McCann